

Amendment No. 1 to HB1965

Howell
Signature of Sponsor

AMEND Senate Bill No. 1928

House Bill No. 1965*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 8, Part 2, is amended by adding the following as a new section:

(a) As used in this section, "retail and entertainment district" means an area that meets the geographical description set forth in § 57-4-102(29)(D)(ii)(b).

(b) The governing body of any municipality having a population of not less than one hundred sixty-six thousand seven hundred (166,700) and not more than one hundred sixty-six thousand eight hundred (166,800), according to the 2020 and any subsequent federal census, may authorize and regulate the operation of a golf cart on any public roadway within the boundaries of a retail and entertainment district that is not a part of the interstate and national defense highway system, when the roadway is closed to motor vehicular traffic, upon the governing body of the municipality adopting an ordinance by a two-thirds (2/3) vote specifying each roadway that is open for golf cart use. The municipality shall provide written notification to the department of safety prior to such ordinance becoming effective.

(c) The ordinance must require that a golf cart operated on a designated public roadway:

(1) Be issued a permit for the golf cart by the municipality; and

(2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways closed to motor vehicular traffic within the boundaries of the retail and entertainment district.

(d) Following the adoption of such an ordinance, a person who owns, operates, or is employed by a business establishment located within or adjacent to the retail and entertainment district may operate a golf cart on a public roadway closed to motor vehicular traffic pursuant to subsection (b) if:

(1) The posted speed limit of the designated public roadway is thirty-five miles per hour (35 mph) or less;

(2) The operator of the golf cart does not cross a roadway having a posted speed limit of more than thirty-five miles per hour (35 mph);

(3) The golf cart is being operated between one-half (1/2) hour after sunrise and one-half (1/2) hour before sunset;

(4) The operator and any passengers in the front seat are restrained by a safety belt at all times the golf cart is in forward motion;

(5) The golf cart is equipped with the following:

(A) Headlights;

(B) A tail lamp, stop lights, and reflectors or an emblem or placard for slow-moving vehicles;

(C) A mirror; and

(D) Brakes;

(6) The headlights of the golf cart are displayed during operation; and

(7) The driver possesses a valid driver license.

(e) Any person operating a golf cart on a public roadway closed to motor vehicular traffic under this section is subject to this chapter.

(f) This section does not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.